

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

22-cr-2053-MLG

JOHN LOPEZ,

Defendant.

**DEFENDANT'S MOTION FOR TEMPORARY
MODIFICATION OF CONDITIONS OF RELEASE**

COMES NOW, John Lopez, through undersigned counsel, and hereby requests permission to temporarily modify his conditions of release restricting him from traveling outside of the District of Arizona and restricting him to 24-hour lock-down in his residence in the Court's most recent Order setting Conditions of Release (Doc. 88), and temporarily setting new Conditions of Release to allow him to travel to New Mexico for a neuropsychological evaluation to be conducted between January 13, 2025 to January 15, 2025. This motion is unopposed.

1. On January 4, 2023, and pursuant to a summons, Mr. Lopez appeared in court for his initial appearance to answer charges contained in an Indictment (Doc. 2). *See* Doc. 10.

2. From the outset of this case, the Court adopted the recommendation of Pre-Trial Services and released Mr. Lopez on his own recognizance. *See* Docs. 8-10.

3. On October 17, 2023, the grand jury returned a superseding indictment (Doc. 32) in this case.

4. The following day, the government filed a motion to revoke Mr. Lopez's conditions of release. *See* Doc. 34. The Court granted in part and denied in part the government's motion. *See* Doc. 41.

5. On January 26, 2024, the government filed a second motion to revoke conditions of release. (Doc. 61). The Court granted the government's motion to revoke after a hearing on

March 4, 2024, and imposed home incarceration, and restricted his travel to the District of Arizona unless prior approval by his supervising officer was obtained (Doc. 88).

6. On September 26, 2024, after a jury trial was completed, the jury returned a guilty verdict against Mr. Lopez.

7. Mr. Lopez remained released after the trial concluded and there have been no violations of his conditions of release since the conclusion of trial on September 26, 2024.

8. Given the complexity of the issues involved, the presentence report has not yet been disclosed after trial concluded in this case.

9. Mr. Lopez has suffered a litany of health issues and has been seen by medical professionals to test his neurological abilities. For example, Mr. Lopez has been scheduled to have multiple MRIs completed which will determine whether certain symptoms are linked to any neurological dysfunction.

10. Mr. Lopez has an upcoming appointment with a neuropsychological evaluator to aid in understanding his neurological issues.

11. According to Mr. Lopez's evaluator and his medical disabilities, Mr. Lopez requires two full days to be able to complete the evaluation. This evaluation is scheduled to take place in Albuquerque.

12. In order to aid Mr. Lopez during his travels due to his disabilities, Mr. Lopez's brother, Frank Lopez, has requested to be allowed to drive him to New Mexico between January 12 to 15, 2025.

13. By this motion, Mr. Lopez seeks permission to travel escorted by his brother, Frank Lopez, to ensure the psychological evaluation is completed.

14. The government and Pretrial Services were contacted regarding their respective positions as to this Motion and the United States is not opposed to the Motion, and Pretrial Services is not opposed to this Motion

WHEREFORE, Mr. Lopez requests that the Court allow Mr. Lopez to travel with his brother, Frank Lopez, from Flagstaff, Arizona, to Albuquerque, New Mexico, from January 12 to 15, 2025.

Respectfully Submitted,

/s/ Joel R. Meyers

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of December 2024, I filed the foregoing electronically through the CM/ECF system, which caused Counsel for the Plaintiff to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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